

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY  
BOARD MEETING MINUTES**

**February 19, 2008**

A meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Division of Occupations and Professions, Frankfort, KY on February 19, 2008.

**MEMBERS PRESENT**

Carmen Fowler, Board Chair  
Sharon Wood - Secretary  
Theresa Crisler  
Denise Logsdon

**OCCUPATIONS AND PROFESSIONS STAFF**

Jeff Boler, Board Administrator  
Wendy Satterly, Administrative Supervisor  
Susan Ellis, Financial Section

**MEMBERS ABSENT**

Lisa Bozarth  
Tymanda Slone

**OTHERS**

Cheryl Lalonde, Assistant Attorney General  
Debbie Joplin, State AMTA  
Marilyn Gossett, Sun Touch Massage School  
Pam Jenkins, AMTA

**Call to Order**

Carmen Fowler, Board Chair, called the meeting to order at 11:04 AM.

**Approval of Minutes**

Minutes of the January 15, 2008 meeting were presented for the Board's review. Ms. Crisler made a motion to approve the minutes with amendments. The motion, seconded by Ms. Logsdon, carried unanimously.

**Financial Statement**

The Board reviewed the financial statement for the month ending January 31, 2008, which indicated a cash balance of \$257,909.48. Ms. Crisler made a motion to approve the financial statement as presented. The motion, seconded by Ms. Wood, carried unanimously.

Susan Ellis informed the Board that the Governor's Office has made a request to transfer \$14,000 from the Board to the general fund. This would be for the 2008 budget year. Ms. Logsdon made a motion to draft a letter of opposition to the both the Senate and House Budget Committees. The motion, seconded by Ms. Wood, carried.

**Licensure Status Report**

The Board reviewed the licensure status report for the month of January which indicated 1764 active licenses, with 25 inactive licenses. It was also reported that there were eleven (11) individuals whose licenses were terminated in the month of January for non-renewal.

## **Complaint Review Committee**

- (06-04) Pending
- (07-02) Pending.
- (07-03) Pending response from Louisville Department of Codes & Regulations
- (07-06) Pending response from Louisville Department of Codes & Regulations
- (07-07) Investigation pending
- (07-09) Pending action in Warren County District Court
- (07-11) Pending response from Louisville Department of Codes & Regulations
- (07-13) Pending response from Louisville Department of Codes & Regulations
- (08-01) Committee recommendation is to initiate an investigation.
- (08-02) Committee recommendation is to dismiss without prejudice.
- (08-03) Committee recommendation is to initiate an investigation.
- (08-04) Committee recommendation is to dismiss without prejudice.
- (08-05) Committee recommendation is to forward to the Louisville Department of Codes & Regulations.

Ms. Wood made a motion to approve the complaint committee report as presented. The motion, seconded by Ms. Logsdon, carried unanimously.

## **Education Committee Report**

The Education Committee recommended the approval of a “letter of good standing” to Daymar College, Owensboro campus.

Ms. Crisler made a motion to approve the committee’s recommendation, and issue a “Letter of Good Standing” to Daymar College. The motion, seconded by Ms. Logsdon, carried unanimously.

The Education Committee recommended the approval of “Refinement of Touch: An Introduction to Self”, a continuing education course offered by Full Circle Massage and Education for 21 hours.

Ms. Logsdon made a motion to approve the request for 21 hours of continuing education credit. The motion, seconded by Ms. Crisler, carried unanimously.

## **Applications Committee Report**

The applications committee recommended the approval twenty-two (22) applications for licensure, and deferment of three (3). Ms. Crisler made a motion to approve the committee report as presented. The motion, seconded by Ms. Logsdon, carried unanimously.

## **Old Business**

Discussion on the Federation of Association of Regulatory Boards (FARB) was tabled until the March meeting.

Discussion on the Executive Branch Code of Ethics was tabled until the March meeting.

## **New Business**

The board reviewed correspondence from Michael Steiger of the Louisville Eccentric Observer (LEO) concerning the practice of allowing unlicensed therapists to advertise in their publication. After discussion, Ms. Logsdon made a motion to have the board administrator draft a letter of response, commending them for their concerns, however state that the laws regulated by the Board do not address this issue. Further, the board recommends they consult a private attorney on the matter. In addition, the letter is to contain instructions on verifying a massage therapy license, using the Division's on-line verification system. The motion, seconded by Ms. Crisler, carried unanimously.

The board reviewed correspondence from Collin Keith concerning the advertising of "massage services" in a chiropractic office setting. After discussion, Ms. Crisler made a motion to have the board attorney draft a letter of response stating that KRS 209(9) (b) allows this individual to practice massage within the scope of his profession so long as he does not hold himself out to be a massage therapist. KRS 309.353(3) states, in part, that it is unlawful for any person, business entity, its employees, agents, or representatives to use the words "massage," "massage therapy," "massage therapist," "massage practitioner," "masseur," "masseuse," or "L.M.T." unless the individuals is licensed as a massage therapist. Since he wishes to utilize a protected word, "massage," in his advertisement, and he is not a licensed massage therapist, it is the Board's opinion that he would be holding himself out in a manner contrary to law. The motion, seconded by Ms. Logsdon, carried unanimously.

The board discussed the creation of an ad-hoc committee to look at potential legislative changes it would like to see made during the 2009 session. It was determined that Ms. Logsdon and Ms. Fowler would represent the Board, and Pam Jenkins and Debbie Joplin would represent KY AMTA. Also, a request will be made to Jean Robinson, from ABMP to appointment a member to represent their organization. The first meeting is to be held following the Board meeting in April.

## **Travel and Per-Diem**

Ms. Crisler made a motion to approve the Travel and Per-Diem for today's meeting. The motion, seconded by Ms. Wood, carried unanimously.

Ms. Wood made a motion to adjourn the meeting. The motion, seconded by Ms. Crisler, carried unanimously.

The meeting adjourned at 12:28 PM. The next scheduled meeting of the Kentucky Board of Licensure for Massage Therapy is scheduled for March 18, 2008 at 9:30 AM.

Approved by the Board,



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Carmen S. Fowler, Board Chair